

AGENDA – Regular Public Meeting

9:30 a.m.

Pinellas County

Board of County Commissioners (BCC)

October 6, 2009

INVOCATION

PLEDGE OF ALLEGIANCE to the Flag of the United States of America

PRESENTATIONS and AWARDS

A. SCHEDULED PUBLIC HEARINGS

Any Person Wishing to Speak about a Public Hearing Item Shall Complete a Blue Card and Submit it to the Agenda Coordinator at the Staff Table Located at the Front of the Board Room. The Procedure Used by the BCC in Conducting Public Hearings is to Have a Staff Presentation Followed by the Applicant Presenting the Specific Proposal. The BCC Will Then Hear Comments from the Proponents Followed by Comments from the Opponents and a Staff Summary. The Applicant Will Then be Given an Opportunity to Close and the BCC Will Decide on the Matter. Please Refer to the Back of Your Agenda Copy for More Details on Guidelines for Time Limitations and Opportunities to Speak.

- 1. Any Person Who Has Been Authorized to Represent an Organization with Five (5) or More Members or a Group of Five (5) or More Persons Shall Complete a Blue Card, Submit it to the Agenda Coordinator at the Staff Table Located at the Front of the Board Room, and Should Limit Their Presentation to Ten (10) Minutes. It is Expected that Others in the Organization or Group Will Waive Their Time.**
- 2. Any Other Person Who Wishes to Speak about a Public Hearing Item Shall Complete a Blue Card, Submit it to the Agenda Coordinator at the Staff Table Located at the Front of the Board Room, and May Speak up to Three (3) Minutes. The Chairman Will Call Each Speaker, One by One, to the Podium to be Heard.**

SCHEDULED PUBLIC HEARINGS – BCC

- 1. Petition to Vacate Submitted by Gerry and Maria Rizzo, and Stephen and Patricia Ruhl for a Portion of Unopened Right-of-Way in Section A, Seminole Estates Subdivision (Legislative Hearing)**
- 2. Petition to Vacate Submitted by Jon E. and Emmy L. Johnston for a Portion of Utility Easement on Lot 66 in the East Lake Woodlands Cluster Homes Units Four – B, C, and D Subdivision (Quasi-Judicial Hearing)**

3. **Petition to Vacate Submitted by Scott L. and Jeanette M. Gore for a Portion of a Maintenance Easement on Lot 89 in the Blue Jay Woodlands – Phase 2 Subdivision (Quasi-Judicial Hearing)**
4. **Dredge and Fill Application DF2025-09 Submitted by William Shakespeare/Embree Marine, 201 – 16th Avenue South, Salt Creek, St. Petersburg**
5. **Proposed Ordinance Creating a Street Lighting District on Madison Avenue (Companion Item No. 7)**
6. **Proposed Ordinance Creating a Street Lighting District in the Thunderbird Hill Subdivision (Companion Item No. 8)**
7. **Proposed Resolution Intending to Use the Uniform Method of Collecting Non-Ad Valorem Assessments for the Madison Avenue Street Lighting District (Companion Item No. 5)**
8. **Proposed Resolution Intending to Use the Uniform Method of Collecting Non-Ad Valorem Assessments for the Thunderbird Hill Subdivision Street Lighting District (Companion Item No. 6)**

B. CITIZENS TO BE HEARD

Any Person Wishing to Speak at This Time, Excluding Public Hearing Items on the Agenda, Must Have a Yellow Card Completed and Given to the Agenda Coordinator at the Staff Table Located at the Front of the Board Room. The Chair Will Call Each Speaker, One by One, to the Podium to be Heard. Each Speaker May Speak up to Three (3) Minutes.

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

9. **Approval of Minutes – None**
10. **Reports:**
 - a. **Tampa Bay Water Fiscal Year (FY) 2010 Annual Budget, Together with the Board Meeting Schedule**
 - b. **Dock Fee Report for the Month of August 2009**

11. Vouchers and Bills Paid

12. Miscellaneous Items to be Received for Filing:

- a. City of Clearwater Resolution No. 09-33 Adopted August 6, 2009, Recommending that the BCC Increase the Millage Rate for Clearwater Fire and Rescue; Together with Notices of Public Hearings Regarding Ordinances Nos. 8090-09 through 8095-09 and No. 8098-09 Amending the Annexation, Land Use Plan, Zoning Atlas, and the Community Development Code. Public Hearings Held October 1, 2009, and to be Held November 5, 2009**
- b. City of Largo Notices of Public Hearings Regarding Ordinances Nos. 2009-44 and 2009-45 and 2009-53 through 2009-56 Held September 15, 2009, Annexing Certain Property**
- c. City of Pinellas Park Notices of Public Hearings Regarding Ordinances Nos. 3696, 3698 and 3700 Held September 10 and 24, 2009 and to be Held October 8, 2009, Annexing Certain Property**
- d. City of Oldsmar Notice of Public Hearings Regarding Ordinances Nos. 2009-15 and 2009-16 to be Held October 6, 2009, Annexing Certain Property**
- e. City of Seminole Ordinances Nos. 23-2009 through 26-2009 Adopted August 25, 2009, Annexing Certain Property**
- f. City of Tarpon Springs Resolution No. 2009-39 Adopted September 1, 2009, Expressing Significant Concerns that the Pasco County Harvey/Madison Large Scale Comprehensive Plan Amendment will Adversely Impact the Anclote River and the City**
- g. Southwest Florida Water Management District's (SWFWMD) FY 2010 Board Meeting Calendar and a Map Depicting the District's Boundaries as Required by Florida Statute Chapter 189.417**
- h. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 10, Dated July 16, 2009**

COUNTY ADMINISTRATOR

Public Works

13. **Approval of the Installation of One Multi-Way Stop Condition at Illinois Avenue and 12th Street, Between Alternate 19 and Omaha Street**
14. **Approval of the Installation of Two Speed Humps on 113th Avenue North Between Bella Loma Drive and 131st Street North**
15. **Approval of a Joint Project Agreement for Utility Installation by Roadway Contractor with the City of Tarpon Springs for Keystone Road from U.S. Highway 19 to East Lake Road**
16. **Approval of a County Incentive Grant Program Agreement with the State of Florida Department of Transportation for:**
 - a. **Improvements to the Westbound Approach of the Keene Road/Belleair Road Intersection**
 - b. **East Bay Drive/Roosevelt Boulevard (State Road 686) Advanced Traffic Management System/Intelligent Transportation System (ATMS/ITS) from Ulmerton Road (State Road 688) to Alternate U.S. Highway 19**

Other Departments

17. **Approval of a Contract with the Pinellas County Sheriff and the City of Indian Rocks Beach for Law Enforcement Services (Justice and Consumer Services)**
18. **Approval of: (Justice and Consumer Services)**
 - a. **Contract with the Pinellas County Sheriff and the City of Safety Harbor for Law Enforcement Services**
 - b. **Agreement with the Pinellas County Sheriff and the City of Clearwater for Forensic, Latents, Evidence and Property Storage**

19. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2010 General Fund Budget for a Grant to: (Management and Budget)
 - a. Department of Justice and Consumer Services
 - b. Department of Health and Human Services
20. Adoption of a Resolution Declaring Personal Property as Surplus and Transferring Same by Donation to the University of Florida, Florida Museum of Natural History (Real Estate Management/Culture, Education and Leisure)
21. Approval of an Award of Bid with Banker Lopez Gassler, P.A. for Lease of Office Space at 501 1st Avenue North, Suites 800 and 900 (Real Estate Management)

AUTHORITIES, BOARDS, AND COUNCILS

COUNTYWIDE PLANNING AUTHORITY (CPA)

22. Approval of Updated Determinations of Consistency Regarding Belleair Bluffs, Belleair Shore, Indian Rocks Beach, and Indian Shores

D. REGULAR AGENDA

23. Items for Discussion from Consent Agenda (County Administrator and Clerk of Circuit Court)

COUNTY ADMINISTRATOR

Public Works

24. Approval of a Second Amendment to Agreement with SWFWMD for Curlew Creek Channel A Improvements from Republic Drive to Belcher Road
25. Approval of a Facility Encroachment Agreement with CSX Transportation, Inc. for the Belcher Road ATMS/ITS Project

Other Departments

26. **Approval of the Recommendation of the Independent Cultural Tourism Grant Panel to Award Grants to Thirteen Arts and Cultural Organizations for FY 2010 (Culture, Education and Leisure)**
27. **Adoption of a Resolution Approving: (Economic Development)**
 - a. **A9080628064 as a Qualified Applicant for the Qualified Target Industry (QTI) Tax Refund Program**
 - b. **A5072251616 as a Qualified Applicant for the QTI Tax Refund Program**
28. **Adoption of a Resolution Establishing a Financial Commitment to Project A9080628064 (Economic Development)**
29. **Approval of a Contract for Law Enforcement Services with the Pinellas County Sheriff for the Environmental Lands Unit (Environmental Management)**
30. **Approval of Authority to Advertise a Public Hearing Amending Ordinance No. 07-43 Establishing a Fee for Examinations and Investigations Relating to Cremation, Dissection, and Burial at Sea (Justice and Consumer Services)**
31. **Approval of an Interlocal Agreement with the Pinellas County Sheriff for the Day Reporting Program (Justice and Consumer Services)**
32. **Approval of Authority to Advertise Two Public Hearings Amending Chapter 138, the Zoning Provisions, of the Pinellas County Land Development Code Creating the Facility-Based Recreation Zoning District and the Resource-Based Recreation Zoning District (Planning)**
33. **Approval of an Agreement for Construction Management at Risk Services with Ajax Building Corporation for St. Petersburg Judicial Tower Renovation, Phase 3 (Real Estate Management)**
34. **Other Administrative Matters**

COUNTY ATTORNEY

- 35. Approval of the Recommendation to Amend the §457 Deferred Compensation Plans for:
 - a. Hartford §457 Deferred Compensation Plan Administrative Services Agreement
 - b. ICMA-RC §457 Deferred Compensation Plan
 - c. VALIC Retirement Services Company §457 Deferred Compensation Plan Administrative Services Agreement
- 36. Approval of a Special Counsel Agreement with Nabors Giblin & Nickerson, P.A. Relating to Online Travel Companies
- 37. Miscellaneous

E. AUTHORITIES, BOARDS, AND COUNCILS

BUSINESS TECHNOLOGY SERVICES

- 38. Approval of an Agreement with Rand IMAGINiT Technologies, Inc., d/b/a IMAGINiT Technologies, for Computer-Aided Design and Drafting Software Services

F. COUNTY ADMINISTRATOR REPORTS

- 39. None

G. COUNTY COMMISSION

- 40. Approval of an Appointment to the Youth Advisory Committee
- 41. Miscellaneous

ADJOURNMENT

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Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE, PLEASE CONTACT THE OFFICE OF HUMAN RIGHTS, 400 S. FT. HARRISON AVE., SUITE 500, CLEARWATER, FL 33756. (727) 464-4062 (V/TDDO).

PUBLIC HEARING PROCEDURES

Public Hearings before the BCC are governed by the provisions of Section 134-14 of the Pinellas County Land Development Code. That code provides that at the conclusion of each person's presentation, any speaker may seek the Chair's permission to ask questions of staff. Specifically:

1. At the conclusion of the presentations by the applicant and any proponents, all affected parties may seek the Chair's permission to ask questions of or seek clarification from the applicant and/or the proponents.
2. At the conclusion of the presentation by the opponents, all affected parties may seek the Chair's permission to ask questions of or seek clarification from any opponent.

The applicant's closing comments will address testimony subsequent to their presentation. Continuing rebuttal of other than directly preceding testimony will not be allowed.

Because much testimony has already been submitted in writing, the following guidelines are expected to be sufficient to accommodate efficient presentations:

1. The applicant should present his or her entire case in twenty (20) minutes.